

(This Newsletter is a quarterly publication containing topics of interest to MSBs regulated by the Georgia Department of Banking and Finance (Department). We hope that you will find this publication to be informative and valuable for providing information about the issues affecting your industry. If there are any issues you would like for the Department to highlight or address in future editions, please e-mail your questions or suggestions to msb@dbf.state.ga.us).

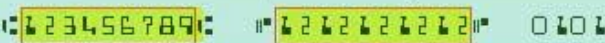
REGULATORY MATTERS

Georgia News

Check Casher License / Registration Renewal

The Department will be sending out check casher renewal notices VIA E-MAIL in early July. Please be sure that the Department has your correct e-mail address on file to ensure that you receive the renewal requirements and login information for the secure online renewal website.

You must renew your license or registration online. For administrative reasons, the Department requires that you also pay online, either by credit card or ACH. If you have a checking account, you can choose the ACH payment option. You will need the bank routing number and your checking account number to pay by ACH (see sample below):

Your Name	91-1234/1234	101
Your Address	DATE _____	
Your City, State, ZIP		
PAY TO THE ORDER OF _____ \$ _____		
_____ DOLLARS		
BANK NAME		
BANK ADDRESS		
MEMO _____		
		

Routing Number

Account Number

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Check Casher License / Registration Renewal (continued)

If you have questions regarding the license / registration renewal process or need to update your e-mail address, please contact Applications Analyst Susan Nelson via e-mail at nelson@dbf.state.ga.us or via phone at (770) 986-1652.

NOTE: You may also update your contact information online from our secure website at: <https://bkgfin.dbf.state.ga.us/MSBUpdate.html>

Depositing of Checks Cashed by Licensees/Registrants

It has come to the attention of the Department that some money transmitters are offering a third-party processing service to check cashers. Rather than depositing checks directly to its own bank account, the check casher scans checks through to the money transmitter, who then advances/sends funds by ACH to the check casher.

This process enables check cashers to use the money transmitter as a conduit to “deposit” checks in order to receive ACHs for the funds more quickly than when depositing directly to their own bank accounts. **However, it is not lawful for a check casher to do this. The check casher is required to deposit checks to its account at a depository financial institution pursuant to Georgia law and a Department rule.**

More specifically, **O.C.G.A. § 7-1-705(c)** requires that “[b]efore a licensee or registrant shall deposit with any bank a check, draft, or money order cashed by such licensee or registrant, the same must be endorsed with the actual name under which such licensee or registrant is doing business.”

Further, **Rule 80-3-1-.02(7)** of the Georgia Department of Banking and Finance requires that “[a]ll checks, drafts, and money orders drawn on a financial institution domiciled in the United States and cashed pursuant to a license or registration under Article 4A of Title 7, O.C.G.A., shall be sent for deposit to the licensee’s or registrant’s account at a depository financial institution domiciled within the United States or sent for collection not later than close of business on the next business day after the date on which the check was cashed.”

REMINDER: Issuance of Examination Reports

If you are subject to an examination by this agency, please keep in mind that the Department transmits the Reports of Examination to licensees/registrants by using a secure e-mail system called Ironport/CISCO. After an examination is completed by the Department, the owner (primary contact) of the subject licensee/registrant will receive an e-mail directing him or her to register with the system in order to receive the Report of Examination. A password must be created as part of this process. After a Report of Examination is received by any licensee/registrant, it is recommended by the Department that a copy be printed out and/or saved to a secure location for future reference.

To read more about the secure e-mail system used by the Department and how it can be utilized to receive, retrieve and send secure e-mail, please go to:

http://dbf.georgia.gov/vgn/images/portal/cit_1210/53/12/65153161Ironport_CiscoDBFSecureEmailInstructions.pdf

Cashing Corporate/Business Checks

Rule 80-3-1-.02 (5)(f) of the Department of Banking and Finance (Department) provides that “[a]n original written authorization or other evidence of verification shall be maintained, attesting to the fact that said corporation has authorized its officers and employees or specific officers or employees to present checks, drawn by the corporation payable to cash or drawn by any party payable to the corporation, to a licensee or registrant for cashing. **A check casher shall not cash a check payable to persons other than natural persons unless the payee has on file such a written authorization or verification indicating that the payee has authorized the presentation of such checks on behalf of the payee.**”

Before cashing checks written to businesses, a check casher must have on file documentation regarding their particular ownership and the persons authorized on their behalf to cash checks. **Without adequate documentation to show that the person cashing the check is authorized to do so, the check casher subjects itself to the risk that it will be responsible for the amount of a check cashed by an unauthorized party.** Proper documentation **MUST** be maintained that indicates such authorization. **The best documentation is a written authorization signed and notarized by the owner. Ownership must be verified.** Copies of business licenses can be helpful; however, business licenses don’t identify all of the owners of the company and therefore do not provide proper documentation to satisfy the requirements of the above Rule. Simply making a note of an Employer Identification Number (EIN), also known as a Federal Tax Identification Number, is not acceptable. Even documentation of the EIN might not be enough if ownership is not verified also.

After ownership of the business is verified and documentation is obtained, if its owners wish to allow specific officers or employees to cash checks on behalf of the company, they must provide the licensee or registrant with written documentation authorizing those persons to do so.

Ownership Issues

Several recent examinations of check cashers have exposed discrepancies between the ownership as established by the company tax returns and the ownership as filed with the Department. Georgia licensed and registered money service businesses must seek approval for all changes in control of the business, and all new owners of 10 percent or more must be investigated prior to the change. **Failure to notify and obtain approval by this agency can result in a \$5,000 fine and additional administrative action by the Department.**

When a corporation is formed and there is one shareholder of the corporation, there will be shares of stock issued and authorized through a corporate resolution. If there are two or more owners, they each will be shown to own shares of stock.

When applying for a license/registration from the Department, all owners of 10 percent or more must be listed along with the control interest in the company.

When shareholders, directors or other key personnel change, this information must be approved by the Department and noted in the corporation's records. Tax returns should also properly reflect the ownership as established by corporate records. It is incorrect to assume that a spouse "owns" 50 percent of a business solely due to his or her marital status.

Upcoming State Holidays

During the next quarter, the Department's offices will be closed in observance of the following State holidays:

Holiday Name	Date Observed
Confederate Memorial Day	April 25 th - Monday
Memorial Day	May 30 th - Monday
Independence Day	July 4 th - Monday

Check Cashing Class

Are you keeping the proper books and records required by law and regulation? Each month the Department offers a class on the MSB rules to new check cashers. **There is no cost for the class** and it is a great way to learn about Georgia law and Department regulations as well as the Bank Secrecy Act (BSA) and Anti-Money Laundering requirements. In addition, the Department now provides a certificate of attendance which licensees may use as evidence of training received on BSA and Anti-Money Laundering.

This class has proven very helpful to those who have attended. During subsequent examinations, those who have attended the class have stated that the knowledge and information gained helped prevent violations and subsequent fines.

The **one-hour class** is held at the Department's [main office](#) on the **third Tuesday** of the month. The class is limited to a maximum of seven attendees, **so you must reserve a seat by emailing** msb@dbf.state.ga.us or tkoeppel@dbf.state.ga.us at least five days before the class is held. Reserve your seat NOW! We look forward to seeing you.



CUSTOMER SERVICE STAR FOR THE PREVIOUS QUARTER

Teresa Koeppel, Administrative Examiner - The Department received comments from several different customers regarding Teresa stating: "[Teresa Koeppel is one of the most knowledgeable, pleasant and professional people I work with on a regular basis. She is always available and willing to answer questions so that I am able to provide the Department with required information.](#)" and "[We have worked with Teresa Koeppel during and after our license application process. We found her to be extremely knowledgeable and helpful.](#)" and "[Teresa Koeppel has been a delight to deal with, and I appreciate the class the Department offers its MSBs.](#)"

A report of issues and topics of interest to Money Service Businesses licensed and registered by the Department of Banking and Finance

ACTION ON APPLICATIONS FOR THE PREVIOUS QUARTER

APPROVED/REINSTATED CHECK CASHERS (License/Registration)

LIC#	CODE	COMPANY NAME	DBA	CITY	ST	ORIGINAL APPROVAL	REINSTATED
20562	R	Suhane, Inc.	Pearson Stop & Shop	Pearson	GA	07/07/2005	01/24/2011
20784	L	SASR, Inc.	Happy Shop Food Mart	Tucker	GA	09/13/2005	02/14/2011
22925	R	Mama Enterprises, Inc.	Exxon at Papermill	Lawrenceville	GA	10/10/2007	02/16/2011
22954	R	Kiem, Inc.	The Winery of Albany	Albany	GA	11/13/2007	02/18/2011
24071	L	Sung Hyuk Eun	EZ Check Cash	Loganville	GA	08/17/2009	02/24/2011
24290	R	Inlaw Enterprises, Inc.	Quick Stop	Kennesaw	GA	01/04/2010	02/24/2011
15215	L	Pawn Express Enterprises, Inc.	Pawn Express Enterprises	LaGrange	GA	11/18/1999	03/03/2011
22133	L	L. J. Investments, Inc.		Griffin	GA	01/23/2007	03/07/2011
23978	R	Om Siddhi, Inc.	Sonny's Apex Express	Commerce	GA	06/01/2009	03/14/2011
19106	L	In Sook Oh	Max General	Conyers	GA	12/09/2003	03/28/2011
31167	L	2004 Check Cashing, Inc.	2004 Check Cashing	Douglasville	GA	01/04/2011	
31313	L	Gulzar and Sons, Inc.	Shell Food Mart	Lithonia	GA	01/07/2011	
31314	L	Arnest Enterprise, Inc.	La Surtidora	Chamblee	GA	01/07/2011	
31315	R	All In One Ventures, Inc.	El Mercado Bueno	Chamblee	GA	01/07/2011	
31434	L	Eagle Star Business, Inc.	Eagle Star	Marietta	GA	01/20/2011	
31442	L	Family Gold & Pawn, LLC	Family Gold and Pawn	Douglas	GA	01/20/2011	
31464	R	Jay Jalashish, Inc.	T & T Food Mart	Columbus	GA	01/21/2011	
31507	R	Tienda Latina, Inc.		Cairo	GA	01/22/2011	
31465	L	Eagle Cash Services, LLC		Monroe	GA	01/24/2011	
31487	R	Subermarket Packages, Inc.	Outlet Package Store	Thomasville	GA	01/24/2011	
31488	L	United Money Services, Inc.		Lawrenceville	GA	01/24/2011	
31489	L	Layfield & Sons, LLC	Premium Gold Buyers	Americus	GA	01/24/2011	
31492	R	Ambica USA, Inc.		McDonough	GA	01/25/2011	
31510	R	K & P Stores, LLC		Tifton	GA	01/25/2011	
31582	L	Eric Nganku	Easy Check Cashing	Marietta	GA	02/04/2011	
31601	L	EZ & Fast Check Cashing, LLC	EZ & Fast Check Cashing	Marietta	GA	02/04/2011	
31610	R	Ghanchi and Dabhi Company, Inc.	Rebecca Food Mart	Rebecca	GA	02/04/2011	
31652	R	Rufus C. Little, Sr.	Little Bait Tackle & Pawn	Perry	GA	02/10/2011	
31657	R	B & B Investors, Inc.	Gen-Earl Store	Tifton	GA	02/14/2011	
31658	L	Sreekaran, Inc.		Kennesaw	GA	02/14/2011	
31702	R	Ma Laxmi, Inc.	US Discount Store	Cordele	GA	02/17/2011	
31708	L	Ambalakshmi, Inc.	Quick Change BP 59	LaGrange	GA	02/18/2011	
31711	R	Ohm-Shahi-Shriya, Inc.	BP Gas	Sparta	GA	02/23/2011	
31712	R	Dipak Dave	A & N Food Store #2	Tifton	GA	02/23/2011	
31748	R	Yong Hong	Lotto Express	Augusta	GA	02/23/2011	
31509	R	Yabba's Bottle Shop, Inc.	Yabba's Package	Marietta	GA	02/25/2011	
31773	R	Money-Rite Auto Pawn of Georgia LLC	CashMax	Columbus	GA	02/25/2011	
31783	R	Neel Om Enterprise LLC	One Stop #4	Valdosta	GA	03/01/2011	
31786	R	Bennie E. McCoy		East Dublin	GA	03/03/2011	
31806	R	C. Hemrick Enterprises, Inc.	Hemrick's Grocery	Newnan	GA	03/03/2011	
31846	R	Riddhi Foods LLC	Quick Stop	Americus	GA	03/07/2011	



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ACTION ON APPLICATIONS FOR THE PREVIOUS QUARTER

APPROVED/REINSTATED CHECK CASHERS (License/Registration) continued

LIC#	CODE	COMPANY NAME	DBA	CITY	ST	ORIGINAL APPROVAL	REINSTATED
31903	L	SFK, Inc.	Tobacco and More	Atlanta	GA	03/15/2011	
31904	R	Ju Hwan Bae	Triangle Amoco	Griffin	GA	03/15/2011	
31905	R	B & H Foodmart, Inc.	Jerry's #2	Fitzgerald	GA	03/15/2011	
31906	L	A Tax Services LLC		Austell	GA	03/15/2011	
31923	R	R. Govind, Inc.	Mac's Milk	Hazlehurst	GA	03/21/2011	
31927	R	Jay Doloma Corporation	JK Food Mart	Valdosta	GA	03/21/2011	
31952	L	Asad Express, LLC	EZ Trip	Smyrna	GA	03/21/2011	
31924	L	Golden Pond USA, Inc.	B2E Mobile Financial Services	Duluth	GA	03/22/2011	
31953	L	Pamela D. Kukwa	Dalla Check Cashing	Austell	GA	03/22/2011	
31784	R	Zil Enterprises, Inc.	Citgo	Dawson	GA	03/23/2011	
31965	L	Khorie Gibson	Statue Investments	Lawrenceville	GA	03/23/2011	
31907	R	Somesh Package Store LLC	Mike's Plaza Package Store	Moultrie	GA	03/28/2011	
31966	R	Manna Investment, LLC	Quick Food Mart	Norcross	GA	03/28/2011	
31993	L	Dheerav, Inc.	First Thunderbird Package	Macon	GA	03/28/2011	
TOTAL: 55							

R=Registrant L=Full Service License

APPROVED CHECK SELLERS AND MONEY TRANSMITTERS

LIC#	CODE	NAME	CITY	ST	APPROVAL
31312	M	Lucky Money, Inc.	San Francisco	CA	03/04/2011

M=Money Transmitter S=Sale of Checks Company

A report of issues and topics of interest to Money Service Businesses licensed and registered by the Department of Banking and Finance

CLOSED/EXPIRED/REVOKED/SURRENDERED IN THE PREVIOUS QUARTER

CLOSED CHECK CASHERS (License/Registration)

LIC#	CODE	NAME	DBA	CITY	ST	CLOSE
24006	RD	Mohammed Alauddin	K Food Mart	CHAMBLEE	GA	01/07/2011
22962	RD	Robert S. Bugh, Jr.	Bugh's	SMITH	AL	01/18/2011
22251	LD	Young W. Choe	EU Financial Services	DULUTH	GA	02/01/2011
24234	LD	Lumpkin Liquid Assets, Ltd.		LUMPKIN	GA	02/04/2011
23505	LD	KK Business Inc.		KENNESAW	GA	02/14/2011
17957	LD	Plymel Package Store, Inc.	Plymel Package Store	MOULTRIE	GA	03/01/2011
23999	LD	Elisa Services, Inc.	Elisa Services	MABLETON	GA	03/01/2011
17252	LD	Ladden Group, LLC	El Valu Check Cashing	CHAMBLEE	GA	03/11/2011

TOTAL: 8

RD=Registrant Dead LD=Full Service License Dead

CLOSED/EXPIRED/SURRENDERED CHECK SELLERS AND MONEY TRANSMITTERS

LIC#	CODE	NAME	DBA	CITY	ST	REVOKED	EXPIRED	WITHDRAWN
19450	SD	Eastern Union, Inc.	United One	ATLANTA	GA	01/19/2011		
22280	MD	Addis International Money Transfer, LLC		STONE MOUNTAIN	GA		01/12/2011	
22893	MD	Qaran Express US Inc.		MINNEAPOLIS	MN			01/18/2011

TOTAL: 3

MD=Money Transmitter Dead SD=Sale of Checks Company Dead

ADMINISTRATIVE ACTIONS

On January 19, 2011, Orders to Cease and Desist issued by the Department became final against Young Choe, the owner of Eastern Union, Inc. d/b/a United One ("Eastern Union"), check seller license number 19450, located at 221-A Cleveland Avenue, SW, Atlanta, Georgia 30315, and Eric Young, the company's chief executive officer.

Also on January 19, 2011, a Notice of Intent to Revoke Annual License issued to Eastern Union became final. Read the full [press release](#) on the Department's website.

Department Contact Information

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E-MAILING THE DEPARTMENT

When corresponding with the Department, e-mail communication is preferred. Providing written details in the e-mail regarding any questions or concerns you may have allows the Department to forward the request to the appropriate person who handles that area, and if sufficient details are included in the request, that person can then more efficiently provide you with an answer. The main Division e-mail address is msb@dbf.state.ga.us.

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